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11

12 **UNITED STATES DISTRICT COURT**

13

14 **DISTRICT OF NEVADA**

15

16 United States of America,

17 Plaintiff,

18 v.

19 Vu Nguyen,

20 Defendant.

21 Case No. 2:03-cr-00158-KJD-PAL-1

22

23 **Stipulation to Continue
24 Deadlines**

25 (First Request)

26

27 It is hereby stipulated and agreed, by and between Nicholas A. Trutanich,
28 United States Attorney, and Elizabeth O. White, Assistant United States
29 Attorney, counsel for the United States of America, and Rene L. Valladares,
30 Federal Public Defender, and Cristen C. Thayer, Assistant Federal Public
31 Defender, counsel for Vu Nguyen, that the following deadlines, as ordered by this
32 Court (ECF. No. 254) be extended.
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1 Specifically, the parties stipulate and agree the previously ordered
2 deadlines for Petitioner's Supplemental Brief in Support of his § 2255 Motion,
3 which is currently due October 18, 2019, the Government's Supplemental Brief,
4 which is currently due November 1, 2019, and the Petitioner's Reply, which is
5 currently due within seven days of the Government's Supplemental Brief, be
6 vacated.

7 The parties further stipulate and agree Petitioner shall have to and
8 including **November 18, 2019**, within which to file the Petitioner's
9 Supplemental Brief in Support of his § 2255 Motion, the Government shall have
10 to and including **December 18, 2019**, within which to file the Government's
11 Supplemental Brief—with both the Petitioner's and the Government's
12 Supplemental Briefs squarely addressing the Court's inquiry of which prong
13 under which Petitioner was convicted or sentenced, and Petitioner shall have to
14 and including **14 days** following the filing of the Government's Supplemental
15 Brief within which to file a Reply directly addressing the Government's
16 arguments

17 The Stipulation is entered into for the following reasons:

18 1. Petitioner's counsel requires additional time to adequately prepare
19 the Petitioner's Supplemental Brief in Support of his pending 28 U.S.C. § 2255
20 Motion.

21 2. The parties agree to the continuance of the deadlines as set forth
22 herein.

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1 3. This is the first stipulation to continue the supplemental briefing
2 schedule.

3 Dated: October 18, 2019.
4

5 RENE L. VALLADARES
6 Federal Public Defender

5 NICHOLAS A. TRUTANICH
6 United States Attorney

7 By: /s/ Cristen C. Thayer
8 Cristen C. Thayer
9 Assistant Federal Public Defender

7 By: /s/ Elizabeth O. White
8 Elizabeth O. White
9 Assistant United States Attorney

**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

United States of America,
Respondent-Plaintiff,
v.
Vu Nguyen,
Petitioner-Defendant

Case No. 2:03-cr-00158-KJD-PAL-1

Findings of Fact and Order

FINDINGS OF FACT

Based on the pending Stipulation of counsel, and good cause appearing therefore, the Court finds that:

1. Counsel for the Petitioner needs additional time in order to adequately prepare the supplemental brief requested of the parties by the Court.

2. The parties agree to the continuance of the deadlines as set forth herein.

3. This is the first stipulation to continue the supplemental briefing deadlines

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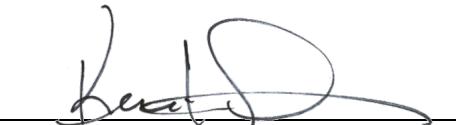
ORDER

2 It is therefore ordered that the Petitioner's Supplemental Brief in Support
3 of his § 2255 Motion is due November 18, 2019, and the Government's
4 Supplemental Brief is due December 18, 2019, with both the Petitioner's and the
5 Government's Supplemental Briefs to squarely address the issue of which prong
6 the Petitioner was convicted or sentenced under; and the Petitioner's Reply is due
7 within 14 days of the filing of the Government's Supplemental Brief, and is to
8 directly address the Government's arguments.

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10 Dated: October 22, 2019.

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14 UNITED STATES DISTRICT JUDGE

Service Certificate

I certify that on October 18, 2018, I electronically filed the foregoing with the Clerk of the Court for the United States District Court for the District of Nevada by using the appellate CM/ECF system. Participants in the case who are registered CM/ECF users will be served by the appellate CM/ECF system. The following non-CM/ECF participants will be served by U.S. Mail: Mr. Vu Nguyen.

/s/ Brandon Thomas
Federal Public Defender Employee